Procter & Gamble – I.P. Division

FACSIMILE TRANSMITTAL SHEET AND

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

TO: **Mail Stop Amendment**
United States Patent and Trademark Office

Fax No. (571) 273-8300

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on November 11, 2005, to the above-identified facsimile number.

_____ (Signature)

FROM: Cheryl L. Martin

Fax No. (513) 634-3499   Phone No. (513) 634-1119

Listed below are the item(s) being submitted with
this Certificate of Transmission:**
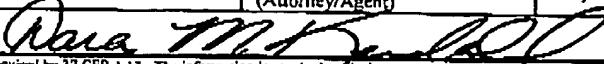
1) Fee Transmittal Form (2 pages)
2) Amendment Transmittal Form
3) Petition for Extension of Time
4) Response (4 pages)
5) Terminal Disclaimer (2 pages)
6) 35 U.S.C. §103(c) Statement

Comments:

Number of Pages Including this Page: 12

Inventor(s): Hyun Sung Lim et al.
S.N.: 09/980,330
Filed: March 27, 2002
Docket No.: 7596

**Note: Each paper must have its own certificate of transmission, OR this certificate must identify each
submitted paper.

SUBMITTED BY						
					Complete (if applicable)	
Name (Print/Type)	**Dara M. Kendall**	Registration No. (Attorney/Agent)	**43,709**	Telephone	(513) 634-1787	
Signature				Date	*11-11-05*	

+ This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Feetrans.doc (Revised for P&G use 4/12/2005)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a RESPONSE for the patent application:

Application No.	:	09/980,330
Applicant(s)	:	LIM ET AL.
Filed	:	March 27, 2002
Title	:	Absorbent Articles Utilizing Breathable Composite Sheet
TC/A.U.	:	3761
Examiner	:	Ginger T. Chapman
Conf. No.	:	9931
Docket No.	:	7596
Customer No.	:	27752

1. [x] No additional fees (claims fees or extension fees) are known to be required.
2. [x] The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	OTHER THAN A SMALL ENTITY RATE	FEE
TOTAL	* 10	MINUS	** 10	=	x $50 =	$
INDEP.	* 1	MINUS	*** 1	=	x $200 =	$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ $360 =	$
					TOTAL	$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the highest number of total claims previously paid for is less than 20, write "20" in this space.
*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated July 11, 2005 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: $120.00 for a one-month extension of time.
4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480.
    a. [x]   Any patent application processing fees under 37 CFR §1.16.
    b. [x]   Any patent application processing fees under 37 CFR §1.17.
5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

THE PROCTER & GAMBLE COMPANY

By _____
Dara M. Kendall

Date: November 11, 2005   Registration No. 43,709
Customer No. 27752   (513) 634-1787

PTO/SB/17 (12-04) +
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2005 Patent fees are subject to annual revision. Effective December 8, 2004	Complete if Known	
	Application Number	**09/980,330**
	Confirmation Number	9931
	Filing Date	March 27, 2002
	First Named Inventor	Hyun Sung Lim
	Examiner Name	Ginger T. Chapman
	Art Unit	3761
TOTAL AMOUNT OF PAYMENT ($)380.00	Attorney Docket No.	7596

METHOD OF PAYMENT

1. [X] The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:

Deposit Account Number: 16-2480
Deposit Account Name: The Procter & Gamble Company

FEE CALCULATION

2. **BASIC FILING FEE – Large Entity**

Application Type	FILING FEE	SEARCH FEE	EXAMINATION FEE		Fee Paid
Utility	($300)	($500)	($200)	(Total = $1000)	[]
Design	($200)	($100)	($130)	(Total = $430)	[]
Reissue	($300)	($500)	($600)	(Total = $1400)	[]
Provisional filing fee				(Total = $200)	[]

3. **APPLICATION SIZE FEE:**
Sheets of Spec and Drawings []
($250 for each 50 sheets in excess of 100, except for sequence and program listings)

SUBTOTAL (2)+(3)   ($)[]

4. **EXTRA CLAIM FEES FOR UTILITY AND REISSUE:**

	Extra Claims	Fee from Below	Fee Paid
Total Claims [] -20** = [] x		[] =	[]
Independent Claims [] - 3** = [] x		[] =	[]
Multiple Dependent claims:		[] =	[]

** or number previously paid, if greater; For Reissues, see below
Fee Description
Claims in excess of 20 ($50 per claim)
Independent claims in excess of 3 ($200 per claim)
Multiple dependent claim, if not paid ($360)
**Reissue: each independent claim over 3 and more than in the original patent ($200 per claim)
**Reissue claims: each claim over 20 and more than original patent ($50 per claim)

SUBTOTAL (4)   ($)[]

FEE CALCULATION (continued)

5. **ADDITIONAL FEES**

Fee Description		Fee Paid
Extension for reply within 1st month	($120)	120.00
Extension for reply within 2nd month	($450)	[]
Extension for reply within 3rd month	($1,020)	[]
Extension for reply within 4th month	($1,590)	[]
Extension for reply within 5th month	($2,160)	[]
Information Disclosure Statement fee	($180)	[]
37 CFR 1.16(f) Late Oath/Declaration (nonprovisional)	($130)	[]
37 CFR 1.17 (g) Surcharge - Late provisional filing fee or cover sheet	($50)	[]
Non-English specification	($130)	[]
Notice of Appeal	($500)	[]
Filing a brief in support of an appeal	($500)	[]
Request for oral hearing	($1,000)	[]
Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	($1,370)	[]
Other: Adding Joint Research Agreement between The Procter & Gamble Company and E.I. DuPont Nemours and Company into specification Under 1.17(i)		130.00
Submission of Terminal Disclaimer under 37 C.F.R. §1.20 (d)		130.00

SUBTOTAL(5) ($) 380.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	09/980,330
Applicant(s)	:	Hyun Sung Lim et al.
Filed	:	March 27, 2002
Title	:	ABSORBENT ARTICLES UTILIZING BREATHABLE COMPOSITE SHEET
TC/A.U.	:	3761
Examiner	:	Ginger T. Chapman
Conf. No.	:	9931
Docket No.	:	7596
Customer No.	:	27752

35 U.S.C. §103(c) STATEMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA   22313-1450

Dear Sir:

The prior art reference, US Patent 6410465, was made by or on behalf of one or more parties of the joint research agreement described in the application.

The claimed invention was made by or on behalf of the parties of the joint research agreement described in the application.

The claimed invention was made as a result of activities undertaken with the scope of the joint research agreement described in the application.

THE PROCTER & GAMBLE COMPANY
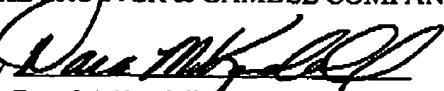
By
Dara M. Kendall
Registration No. 43,709
(513) 634-1787

Date: November 11, 2005
Customer No. 27752
(7596 103c Statement 11-11-05.doc)